



**FITZPATRICK CELLA HARPER & SCINTO**  
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**NEW YORK NY 10104-3800**

**In re Application of**

**KAWASAKI et al.**

**Application No.: 10/559,532**

**Filed: 09 September 2008**

**Attorney Docket No.: 03500.018188**

**For: SHEET MATERIAL**

**IDENTIFYING APPARATUS, SHEET  
MATERIAL TREATING APPARATUS  
AND SHEET MATERIAL  
IDENTIFYING METHOD**

**: DECISION ON REQUEST TO  
: PARTICIPATE IN THE PATENT  
: PROSECUTION HIGHWAY  
: PROGRAM AND PETITION  
: TO MAKE SPECIAL UNDER  
: 37 CFR 1.102(d)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed 22 April 2010 and renewed on 17 June 2010, to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
  - a. a Paris Convention application which either
    - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
    - ii. validly claims priority to a PCT application that contains no priority claims, or
  - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
    - i. validly claims priority to an application filed in the JPO, or
    - ii. validly claims priority to a PCT application that contains no priority claims, or
    - iii. contains no priority claim, or
  - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
    - i. validly claims priority to an application filed in the JPO, or

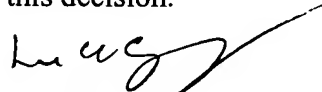
- ii. validly claims priority to a PCT application that contains no priority claims, or
  - iii. contains no priority claim;
- 2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s);
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
- 3. Applicant must:
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
  - a. Documentation of prior office action:
    - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
    - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
    - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
  - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
  - c. A statement that the English translation is accurate;
- 6. Applicant must submit:
  - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
  - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);
- 7. The required petition fee under 37 CFR 1.17(h).

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.



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